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EXAMINER

PATEL, NIRAV B

ART UNIT PAPER NUMBER

2135

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,082

Applicant(s)

KELLY, THOMAS W.

Examiner

Nirav Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 17 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>(2) - 10/17/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-17 have been submitted for examination.
2. Claims 1-17 have been examined and rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10 and 12-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Welcher et al. (U.S. Pub. No. 2002/0083337).

As per claim 1, Welcher discloses:

A computer security system for a *computer operatively connected to a data generation device* (such as a networked computer) [**col.1 lines 11-13, “Many computers are at one time or another connected within a network including one or more other computers”**] wherein the data generation device generates an input signal which is received by the computer when connected to the data generation device [**col.1 lines 11-13, “Many computers are at one time or another connected within a**

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network including one or more other computers for communication with another computer”], the security system comprising, in combination:

a user interface which generates an output signal [Fig. 7 components 15, 16 and 58 col. 8 lines 8-10 “selective operation of the keyboard 15 and/or the mouse 16 provides one or more control signals 58”];

a networking device which receives the input signal from the data generation device when connected with the data generation device [Fig. 1 component 24 col. 4 lines 63-67 “the given port 22 by an interface 24 for bi-directional communication by the computer 10 with another computer within the network”]; and

a positive disconnect device [Fig. 1 component 11, Access Prevention Device 11] which selectively prevents operative connection between the networking device and the data generation device [col. 2 lines 20-23 “controlling communication-access between a computer network and either a computer or a modem that has a given port for bi-directional communication by the computer or the modem with the network”] when the output signal corresponds to a preselected period of inactivity of the user interface [Fig. 9 col. 8 lines 50-63 “the control device includes an inactivity detector 65, and a timer 66 which are implemented by the computer 10 in accordance with software routines. The inactivity detector 65 detects inactivity when the computer 10 is not performing a routine in response to an input received from an input device, such as the keyboard 15 and the mouse 16. The timer 66 measures each detected interval of inactivity”].

As per claim 2, the rejection of claim 1 is incorporated and further Welcher discloses:

the positive disconnect device is *positioned between* the networking device (i.e. port of networking device) and a data transmission device [**Fig.1 components 10, 11 and 19 col.5 lines 7-9** “access-prevention device 11 is shown as connected in series between the given port 22 of the computer 10 and the modem 19”] which *transmits and receives* the input signal and the output signal [**Fig.1: Modem 19 communicates bi-directionally with Access Prevention Device 11**].

As per claim 3, the rejection of claim 2 is incorporated and further Welcher discloses:

the data transmission device is a cable *modem* [**col. 1 lines 16-19** “Many a computer is so coupled to a network by cables and/or modems that the computer is automatically connected within the network for bi-directional communication with another computer”].

Welcher discloses that the data transmission device is a cable modem. Welcher discloses that a computer is coupled to network by modem [**col. 1 lines 16-19** “Many a computer is so coupled to a network by cables and/or modems that the computer is automatically connected within the network for bi-directional communication with another computer”]. Thus Welcher teaches the claimed cable modem.

As per claim 4, the rejection of claim 2 is incorporated and rejected for the same reason set forth in the rejection of claim 3 above.

As per claim 5, the rejection of claim 1 is incorporated and further Welcher discloses:

the positive disconnect device is an *add-on component* [**col. 2 lines 66-67 “the access-prevention device is disposed within a chassis that contains the computer”**] attached to the computer so as to be communicatively connected to the networking device and the data generation device [**col. 5 lines 20-23 “The access-prevention device 11a includes a first connector 26 for connection to the given port 22 of the computer 10, a second connector 27 for connection to the network”**].

Welcher discloses the positive disconnect device is an add-on component. Welcher discloses that the access-prevention device is disposed within a chassis that contains the computer [**col. 2 lines 66-67 “the access-prevention device is disposed within a chassis that contains the computer”**]. Thus Welcher teaches the claimed an add-on component.

As per claim 6, the rejection of claim 1 is incorporated and further Welcher discloses:

a motherboard controlling several functions of the computer, and the positive disconnect device is *integrated into* the motherboard [**i.e. motherboard is within the computer**

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chassis 10 col. 7 lines 17-20 FIG. 5 “an access-prevention device (APD) 50 within the computer chassis 18”].

Welcher discloses the positive disconnect device is integrated into the motherboard. Welcher discloses that the access-prevention device is disposed within a chassis that contains the computer [i.e. motherboard is within the computer chassis 10 col. 7 lines 17-20 FIG. 5 “an access-prevention device (APD) 50 within the computer chassis 18”]. Thus Welcher teaches the claimed device is integrated into the motherboard.

As per claim 7, the rejection of claim 1 is incorporated and further Welcher discloses:

the positive disconnect device is *incorporated into the networking device* [i.e. network interface card col. 7 lines 17-20 FIG. 5 “an access-prevention device (APD) 50 within the computer chassis 18”].

Welcher discloses the positive disconnect device is incorporated into the networking device (network interface card). Welcher discloses that the access-prevention device is disposed within a chassis that contains the computer [i.e. interface 24 is within the computer chassis 10 col. 7 lines 17-20 FIG. 5 “an access-prevention device (APD) 50 within the computer chassis 18”]. Thus Welcher teaches the claimed device is incorporated into the networking device.

As per claim 8, the rejection of claim 1 is incorporated and further Welcher discloses:

the positive disconnect device is incorporated into the data transmission device [**col. 9 lines 4-5 FIG. 10 “by disposing an access-prevention device (APD) 70 within the chassis 71 of the modem 19”**].

As per claim 9, the rejection of claim 1 is incorporated and further Welcher discloses:

the networking device is a network interface card [**Fig. 1 Interface 24**].

Welcher discloses the networking device is a network interface card. Welcher discloses that an interface 24 for bi-directional communication by the computer 10 with another computer within the network [**col. 4 lines 63-67 “the computer 10 includes a given port 22 for connection to a network and a bus 23 connected to the given port 22 by an interface 24 for bi-directional communication by the computer 10 with another computer within the network”**]. Thus Welcher teaches the claimed network interface card.

As per claim 10, the rejection of claim 1 is incorporated and further Welcher discloses:

the output signal comprises *information about activity of* the user interface [**Fig. 7 components 15, 16 and 58 col. 8 lines 8-10 “selective operation of the keyboard 15 and/or the mouse 16 provides one or more control signals 58”**], as well as

instructions to be sent to the data generation device [i.e. **computer communicates with other networked computers col. 1 12-13** “one or more other computers for communication with another computer”].

As per claim 12, Welcher discloses:

A computer security system which *communicatively isolates a computer from a data transmission device* [col. 2 lines 20-23 “controlling communication-access between a computer network and either a computer or a modem that has a given port for bi-directional communication by the computer or the modem with the network”] operatively connected to the Internet [col. 1 lines 14-15 “such networks include local area networks, the Internet”], comprising, in combination:

a *user interface* which generates an output signal [Fig. 7 component 15 16 and 58 col. 8 lines 8-10 “selective operation of the keyboard 15 and/or the mouse 16 provides one or more control signals 58”];

a networking device [Fig.1 Interface 24] in communication with the data transmission device [Fig.1 Modem 19], wherein the networking device *transmits the output signal* from the user interface [col. 4 lines 48-50 “The keyboard 15 and the mouse 16 are connected to the computer for controlling operation of the computer, col.4 lines 63-67 port 22 by an interface 24 for bi-directional communication by the computer 10 with another computer within the network”] and receives an input signal from the Internet through the data transmission device [col. 4 lines 50-54 “The computer 10 also is connected by a modem 19 to an external network-access terminal 20 for

enabling bi-directional communication between the computer 10 and another computer within the network”]; and

a positive disconnect device 9 [Fig. 1 component 11 Access Prevention Device] which selectively *prevents communication* between the networking device and the data transmission device [*col. 2 lines 20-23* “controlling communication-access between a computer network and either a computer or a modem that has a given port for bi-directional communication by the computer or the modem with the network”] when the output signal corresponds to a *preselected period of inactivity* at the user interface [Fig. 9, *col. 8 lines 50-63* “the control device includes an inactivity detector 65, and a timer 66 which are implemented by the computer 10 in accordance with software routines. The inactivity detector 65 detects inactivity when the computer 10 is not performing a routine in response to an input received from an input device, such as the keyboard 15 and the mouse 16. The timer 66 measures each detected interval of inactivity”].

As per claim 13, the rejection of claim 12 is incorporated and further

Welcher discloses:

the input signal comprises a number of signals, and the positive disconnect device comprises a series of relays [*col. 7 lines 26-33* the control device 51 includes a number of control buttons corresponding to the number of switches in the access-prevention device 50 for providing control signal(s) 52 to selectively trigger the operation of the switch(es) in response to depression of the control button(s), to

thereby selectively prevent the computer 10 from receiving and/or transmitting any communications from and/or to another computer within the network] with the number of relays corresponding to the number of signals [*col. 7 lines 26-33* the number of switches in the access-prevention device 50 for providing control signal(s) 52 to selectively trigger the operation of the switch(es) Fig. 4B].

As per claim 14, the rejection of claim 12 is incorporated and further Welcher discloses:

at least one relay which in response to a control voltage is shiftable from an *open position to a closed* condition [*col. 7 lines 33-36* “the switch(es) in the access-prevention device 50 are switched between open and closed positions in response to successive control signal(s) 52 from the control device 51”], and in response to the output signal corresponding to the *preselected period of inactivity at the user interface*, the control voltage is removed and communication between the networking device and the data transmission device is prevented [*Fig. 9 col. 8 lines 50-63* “the control device includes an inactivity detector 65, and a timer 66 which are implemented by the computer 10 in accordance with software routines. The inactivity detector 65 detects inactivity when the computer 10 is not performing a routine in response to an input received from an input device, such as the keyboard 15 and the mouse 16. The timer 66 measures each detected interval of inactivity, and provides a given control signal 68 to trigger the opening of the switch(es) in the access-prevention device 50 whenever the measured interval exceeds a predetermined duration to

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thereby selectively prevent the computer 10 from receiving and/or transmitting any communications from and/or to another computer within the network”].

As per claim 15, the rejection of claim 12 is incorporated and further Welcher discloses:

the positive disconnect device comprises a series of electronic relays [***col. 5 lines 38-40***, “**the switching circuit 28 includes one or two solid-state-electronic switches respectively connected to the pins of the first and second connectors 26, 27”**] and the output signal is a preselected period of inactivity in an Internet connection command (i.e. no interactions between user interface and computer for preselected period) in the user interface [***col. 8 lines 56-63*** “**the timer 66 measures each detected interval of inactivity, and provides a given control signal 68 to trigger the opening of the switch(es) in the access-prevention device 50 whenever the measured interval exceeds a predetermined duration to thereby selectively prevent the computer 10 from receiving and/or transmitting”**].

As per claim 16, the rejection of claim 12 is incorporated and further Welcher discloses:

the user interface comprises a keyboard and a mouse [***col. 4 lines 48-50 Fig. 7*** “**The keyboard 15 and the mouse 16 are connected to the computer for controlling operation of the computer”**].

As per claim 17, the rejection of claim 12 is incorporated and further Welcher discloses:

the positive disconnect device is a plug-in (which can be connected to a computer's universal-service-bus (USB) port) attachment which can be operatively connected to a computer [**col. 5 lines 35-38 Fig. 2 "The first and second connectors 26, 27 include Ethernet-cable connectors, universal-service-bus (USB) connectors"**].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Welcher et al, and further in view of Given et al. (U. S. Patent No. 6,560,711).

As per claim 11, the rejection of claim 1 is incorporated and further Welcher discloses:

after the preselected period of inactivity at the user interface [**Fig. 9 col. 8 lines 50-63 "the control device includes an inactivity detector 65, and a timer 66 which are**

implemented by the computer 10 in accordance with software routines. The inactivity detector 65 detects inactivity when the computer 10 is not performing a routine in response to an input received from an input device, such as the keyboard 15 and the mouse 16. The timer 66 measures each detected interval of inactivity”] the same time the connection to the data generation device is prevented [col. 8 lines 56-63 “The timer 66 measures each detected interval of inactivity, and provides a given control signal 68 to trigger the opening of the switch(es) in the access-prevention device 50 whenever the measured interval exceeds a predetermined duration to thereby selectively prevent the computer 10 from receiving and/or transmitting any communications from and/or to another computer within the network”].

Welcher does not explicitly disclose that screen saver software which changes an image on a monitor after the preselected period of inactivity at the user interface so that the image on the monitor is changed.

However, Given discloses that screen saver software which changes an image on a monitor after the preselected period of inactivity at the user interface so that the image on the monitor is changed [col. 4 lines 66-67,col. 5 lines 1-4 “If the reason for lack of keyboard activity is that the user has left the area of the computer terminal, the controller 210 leaves switch 270 closed and switch 280 open. The computer 400 will then go into a lock mode according to security software that is running on the computer 400 (typically a screen saver)”].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teaching of Given into the teaching of Welcher to use screen saver software which changes an image on a monitor after the preselected period of inactivity at the user interface so that the image on the monitor is changed. The modification would be obvious because one of ordinary skill in the art would be motivated to use password protected software such as a screen saver for the security of the computer's data base.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cromer et al. (US 6,105,136) discloses a computer system which is coupled to a remote compute via a data communication link. The compute system has a normally closed enclosure and is capable of securing data retained within the system against unauthorized access.

Wey et al. (US 6,215,764) discloses a method and apparatus for detecting the link status of a network device in a computer system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nirav Patel whose telephone number is 571-272-5936. The examiner can normally be reached on 8 am - 4:30 pm (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

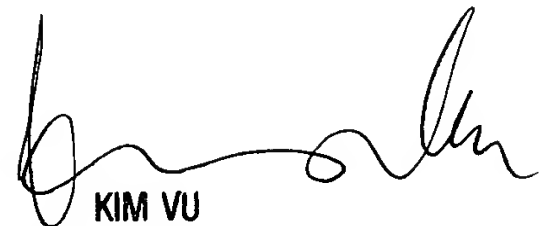
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access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nirav Patel.

5/2/05



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